Previous references.

File No. 81 of 1903-04.

1904

(III Courts.)

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1 to 3.

PART B FOR July 1904.

SUBJECT.

Direct transmission to the Courts concerned of Processes received from the Residency for persons within the State.

FILE No. 81 of 1903-04.

Direct transmission to the Courts concerned, of processes received from the Residency for service on persons within the Mysore State.

1 To the Registrar of the Chief Court of Mysore, No. 2533, dated 25th May 1904.
Enquires whether the Chief Court would agree to the direct transmission by this office to the Courts concerned, of processes received from the Residency for service on persons within the Mysore State.

2 From the Registrar of the Chief Court of Mysore, No. 165, dated 11th July 1904.
Invites attention to certain Notifications of the Chief Commissioner which authorise the direct transmission of processes as between the British Indian and the Mysore Courts, and states that the execution of processes of other administrations will depend on provisions of law or special orders, and that the Chief Court will have no objection to the transmission of such processes to the Mysore Courts concerned through the channels indicated therein.

3 To the Registrar of the Chief Court of Mysore, No. 207, dated 27th July 1904.
Informs him that processes received from the Residency for service on persons in Mysore, will, as far as possible, be sent direct to the Courts concerned, and requests that all Courts may be instructed to return the processes, after service, direct to this office instead of through the Chief Court, except in cases where they may be asked to return them direct to the issuing court.

G. R. S. 58

Office of the Dewan of Mysore.

File No. (if any) 81 of 1903-04.

Directions.

No., date and purport of receipts to be entered in red, and office note in black ink in order of dates.—To be written only on one side, and inside the line of margin.

Office Note.

Branch judicial

Subject Transmission of processes received from the Residency for service within the State, direct to the Dt magtes concerned instead of to the Registrar of the chief court.

The First-Councillor's remarks on this office docket No 2303 dated the 3rd May 1904, to the Registrar, Chief Court, forwarding for service a Summons received from the Residency magte of Blackdown Madras :—

"It would be a great saving "of time if such processes could "be sent by us direct to the Court "by which they are to be served "and if those Courts returned "them to us direct. I would "suggest that with the Dewan's "permission, the Chief Court be "consulted in the matter. The "present circumlocution "is a formality which while entail "ing delay serves no useful "purpose and we are sometimes "obliged to return processes "unserved for want of time."

F.T.O (Jd) 6.5.
4-5-04

To Dy Secty for disposal
13/5/04
Regr. to the Registrar, Chief Court, & Dupt to Dist Judges in Dupt to Chief Court

× Recorded in Lets: 1906 03 Mg Sl 01-4 B

Jh No. 81 of 1903-04

Draft Sibd as revised

18/5/04

To Dewan

19.5.04

17808
19.5.04

The Dewan's orders:-

"I entirely approve. The suggestion is a very good one."

(Sd) P.N.K
21-5-04

The following letter was issued:-

1. Letter No. 2533 dated the 25th May 1904. to the Registrar, Chief Court. requesting him to obtain the opinion of the Judges of the Court in the matter.

2 3 from the Registrar No. 165 dated the 11th July 1904. submitting the opinion of the Chief Court.

The same question having been started in connection with a letter received from the Deputy Registrar of the High Court of Bombay. (Chief Court letter No. 11067 dated 22-2-01 to the Registrar), the Registrar in 2933 circulated a letter to Civil Circular No. 148 dated 10th June 01. informing the Civil Courts of this Province of the rulings of the Bombay & Madras High Courts directing the Courts in those Presidencies to forward processes issued by them for service in this State direct to the Court exercising local jurisdiction at the place where the process is to be served or executed.

(1 Lets 30 of 1900-01)

Serial No.

+ Feb 30 01 (900 01) (sc 3)

The Registrar now reports his answer given in his No. 5 dated the 26th February 01 and adds by virtue of Notifns Nos 111 & 112 of the Chief Commissr dated the 23rd July 1878. the same procedure may be continued adopted as regards Criminal Process &c. ~~Does this apply to this question~~ But the process are received through the Residency. There is no direct answer to the question if the Process received from the Residency may be sent direct, by this Courts by which they are to be served. Subt proceedings.

JKS 2077 (Mr KK) 20-2-01

This is so; but further enquiries deem to be unnecessary.

Draft a letter to the Registr, Chief Court, acknowledging his letter, & stating that process received in this office for service on persons residing in the State will, as far as possible, be sent direct to the Courts concerned: & requesting that all Courts may be instructed to [illegible]

Note—Contn. sheet.

MGCPB—10 000—19-5-04

G.R.S. 12]

General and Revenue Secretariat.

File No. 87 of 1903-04

Serial No.

direct to this office after service on Civil Heads of Depts' the Chief Court, in the cases in which they are not asked to return them direct to the Courts in British India issuing the processes.

23-7-04

Submitted with a Draft

23/7/04 28-7-04

Draft-Asst. to Secy. 25/7/1904

Draft as per above, issued. No. 207 d/27-7-04.

Note—Contn. sheet.

MGCPB—10 000—19-5-04

Ll No 1

To.

The Registrar,
Chief Court

Dated 25.5.04

No 2533
J

Sir,

I am directed to observe that it would be a great saving of time if processes received from the Residency for service on persons residing in this State ~~could be~~ were sent by this office direct to the Courts by which they are to be served and if those Courts returned them direct to this office, instead of thro' the Chief Court in each instance, as at present. The present circumlocution, ~~seems~~

1876
? Entirely approve — the suggestion is a very good one
Ll
21.V.04

Ll
23/5

is the result of a formality, which while entailing delay serves no useful purpose, and the processes have sometimes to be returned for want of time.

Under these circumstances, I am to request that you will be so good as to favour Govt with the opinion of the Chief Court as to whether the course suggested above may be adopted in future.

I have etc

23/5/04

19/5/04

Secretary

J 102 Ele No 2

Bangalore.
11th July 1904.

From
V. A. Rajaratna Mudaliar Esquire,
Registrar, Chief Court of Mysore.

To
B. K. Venkata Varada Iyengar Esquire,
Offg: Secretary to the Govt of Mysore,
Gen: and Rev: Departments.

Sir,

With reference to your letter No 2533/J dated the 25th May 1904, requesting to be favoured with the opinion of the Chief Court as to whether processes received from the Residency for service on persons residing in this State, may be sent by your office direct to the Courts concerned for service and return, I am directed to invite your attention to this office letter No 5513/177 dated 26th February 1901, from which, it will be seen that, so far as the Courts of the Bombay and Madras Residencies are concerned, the Civil Courts in Mysore have been instructed to serve processes received

direct

direct from those Courts. The same
procedure may be conveniently adopted
as regards Criminal processes of
the two Presidencies and all processes
of other British Provinces as they
naturally come under the Chief Com-
missioner's Notifications Nos 111 & 112 dated Nov 82
23d July 1858. As regards processes
of other administrations, their service
will depend upon provisions of law
or special orders applicable and there
can be no objection to the processes
being sent to the Courts concerned
through the channels indicated herein.

I have the honor to be,
Sir,
Your most obedient servant,

H Ragalteuchmud
Registrar.

Inglis

(5

Ile No 3

G.R.S. 26]

File No. 81/03-a

Serial No. 3

Diary No. of letter replied to

No. 207-(81/03-4)
9

General and Revenue Secretariat
(~~Legislative~~ Court)
, the 25/7/04 190 .

To

The Registrar, Chief Court of Mysore.

Date of issue 27/7/04

Signed by B.K. Venkatarama Iyengar.

Sir.

I am directed to acknowledge the receipt of your letter No. 165/13 dated the 11th instant, with the enclosures and to state that the processes received from the Residency, ~~being sent~~ direct by this office to the Courts by which they are to be served, instead of ~~direct~~ through the Chief Court, and to request that the processes received in this office for service on persons residing in the State will, as far as possible, be sent direct to the Courts concerned. ~~I am therefore to request that~~ All the Courts may

over.

SUBJECT.

be instructed to return such processes direct to this office of the Service, instead of through the Chief Court, in cases in which they are not asked to return them direct to the Courts in British India issuing the processes.

I have &c.

25/7/1904

Asst Secretary.

23/7/04 MM 25.7.04

List of enclosures.

Copied by V. R. A. 26-7-04

Examined by MM 26.7.04

M&CPB—5,000—20-5-04